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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES PATENT AND TRADEMARK SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP 7500, APPLICATION COMMISSIONER FOR PATENTS, P. O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY

DATE:

June 26, 2003

PATENT

#5
7-12-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit: 1614
Rozlyn A. Krajcik *et al.* :
: Conf. No.: 5919 : Examiner: Jennifer M. Kim
: Appln. No.: 10/073,607 :
: Filed: February 11, 2002 :
: For: METHODS AND COMPOSITIONS FOR :
THE TREATMENT OF ALOPECIA AND :
OTHER DISORDERS OF THE PILO- : Attorney Docket
SEBACEOUS APPARATUS : No. 4555-43U1

RESPONSE TO RESTRICTION REQUIREMENT

This Response is provided in view of the Restriction Requirement (Paper No. 4) mailed June 3, 2003. It is timely filed on June 26, 2003, in advance of the deadline of July 3, 2003 set by the Examiner.

In Paper No. 4, the Examiner has required restriction to one of the following inventions:

- Group I (claims 1-8 and 13-19), drawn to a method of treating a disorder of the pilosebaceous apparatus of a mammal, comprising administering an insulin sensitivity increasing substance (*i.e.*, biguanide), classified in class 514, subclass 635;
- Group II (claims 1-4, 7-11, and 13-19), drawn to a method of treating a disorder of the pilosebaceous apparatus of a mammal, comprising administering an insulin sensitivity increasing substance (*i.e.*, thiazolidinedione), classified in class 514, subclass 439;
- Group III (claims 1-4, 7-8, and 12-19), drawn to a method of treating a disorder of the pilosebaceous apparatus of a mammal, comprising administering an insulin sensitivity increasing substance (*i.e.*, D-chiro-inositol), classified in class 514, subclass 738;
- Group IV (claims 20-22, and 26-30), drawn to a composition for treating a disorder of the

pilosebaceous apparatus of a mammal, the composition comprising an ISIS (*i.e.*, thiazolidinedione) classified in class 514, subclass 439;

- Group V (claims 20, 23, 24, and 26-30), drawn to a composition for treating a disorder of the pilosebaceous apparatus of a mammal, the composition comprising an ISIS (*i.e.*, biguanide), classified in class 514, subclass 635; and

- Group VI (claims 20, and 25-30), drawn to a composition for treating a disorder of the pilosebaceous apparatus of a mammal, the composition comprising an ISIS (*i.e.*, D-chiro-inositol), classified in class 514, subclass 738.

The Examiner asserts that the inventions of Groups I-III and IV-VI are distinct for although they are related as a product and process of use, the product can be used in a materially different process. Additionally, the Examiner asserts that, Groups I and Groups II-III are independent and distinct from each other "due to separate classification" and the inventions of Group IV and Groups V-VI are distinct from one another due to a "separate classification."

ELECTION

The Applicants respectfully elect for initial prosecution the claims of Group I, claims 1-8, and 13-19, drawn to a method of treating a disorder of the pilosebaceous apparatus of a mammal, the method comprising administering an insulin sensitivity increasing substance that is a biguanide. However, the applicants note that claim 1 is a generic claim drawn to a method using an ISIS; therefore, the applicants reserve the right to request that the Examiner consider the claims drawn to the remaining species, once claim 1 has been found to be allowable.

Claims 1-8 and 13-19 read on the ISIS that is biguanide.

CONCLUSION

In view of the foregoing, it is requested that the Examiner consider and allow the claims at the earliest opportunity. Should the Examiner have any further questions, it is respectfully requested that she contact the undersigned at the telephone number below.

Respectfully submitted,

ROZLYN A. KRAJCIK, et al.

26 June 2003
(Date)

By:

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